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Peter E. Hart

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EXAMINER

RODRIGUEZ, LENNIN R

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/814,386

Applicant(s)

HART ET AL.

Examiner

Lennin R. Rodriguez

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08) ✓  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement filed on 4/27/2007 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because all the non-patent literature is on the Japanese language and with no apparent version on the English language. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

### *Drawings*

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

(1) 690 in Fig. 6.

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the

application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 2 recites the limitation "the external media processing device" in line 1 of claim 2. There is insufficient antecedent basis for this limitation in the claim. An external media processing **device** was never mentioned before in claim1 on which claim 2 depends.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 6, 12, 14, 29-32, 38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) in view of Ishikawa (US 5,987,226).

(1) regarding claim 1:

Sugiyama '723 discloses a system (figure 1 and column 2, lines 62-63) for printing time-based media (column 3, lines 11-16), the system comprising:

a media processing system (figure 1 (12-17,21-29)) for generating an electronic representation (column 6, lines 19-26) of time-based media (column 3, lines 12-17), wherein the media processing system resides at least in part on a multi-media printer (figure 1 and column 3, lines 11-13 where it resides completely on multi-media (video) printer); and

a printer including a housing (the overall physical construction of the system of figure 1) for supporting an interface (11 in figure 1), and an electronic output system (10-20 in figure 1) in communication with the media processing system to receive the electronic representation, the electronic output system producing a corresponding electronic output from the electronic representation of the time-based media (column 3, lines 31-41).

Sugiyama '723 discloses all the subject matter as described above except the media processing system resides at least in part on an external media processing system; and that said housing supports an interface for receiving time-based media

from an external source and being communicatively coupled to send time-based media to the media processing system.

However, Ishikawa '226 teaches the media processing system resides at least in part on an external media processing system (figure 1 and column 6, lines 45-52 - overall media processing system resides in multiple media processing systems, all connected by a network); and that said housing supports an interface for receiving time-based media from an external source (column 6, lines 45-49, where it is receiving data from external clients through a network) and being communicatively coupled (Figure 1, through a network 3) to send time-based media to the media processing system (column 6, lines 45-49).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the media processing system resides at least in part on an external media processing system; and that said housing supports an interface for receiving time-based media from an external source and being communicatively coupled to send time-based media to the media processing system as taught by Ishikawa '226 in the system of Sugiyama '723. With this distributed processing increases the overall speed with which media data can be processed (column 3, lines 40-48 of Ishikawa), and proper load balancing (via the resource allocation module) maximizes the efficiency of the distributed processing.

(2) regarding claim 2:

Sugiyama '723 discloses all the subject matter as described above except wherein the external media processing device is a personal computer.

However, Ishikawa '226 teaches wherein the external media processing device is a personal computer (column 6, lines 45-49, where the clients are interpreted as personal computers).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the external media processing device is a personal computer as taught by Ishikawa '226 in the system of Sugiyama '723. With this distributed processing increases the overall speed with which media data can be processed (column 3, lines 40-48 of Ishikawa), and proper load balancing (via the resource allocation module) maximizes the efficiency of the distributed processing.

(3) regarding claim 3:

Sugiyama '723 further discloses that the media processing system determines a printed representation of the time-based media (column 5, line 66 to column 6, line 5); and the system further comprises a printed output system (figure 1(31-33)) in communication with the media processing system (column 5, line 63 to column 6, line 2) to receive the printed representation (column 5, line 66 to column 6, line 5), the printed output system producing a corresponding printed output from the printed representation of the time-based media (column 6, lines 2-5).

(4) regarding claim 4:

Ishikawa teaches the external media processing system is a remote external service system coupled to the network, the external service system in communication with the media processing system for performing at least some processing steps for the

time-based ("time- based" by combination with Sugiyama) media (column 6, lines 45-52 of Ishikawa).

(5) regarding claims 6 and 32:

Sugiyama '723 further discloses that the interface (input source) comprises a communication interface (figure 1 (11)) allowing the system to be communicatively coupled to an electronic device, the electronic device providing the time-based media to the system (column 3, lines 11-17).

(6) regarding claims 12 and 38:

Sugiyama discloses that the interface (input source) comprises embedded screen capture hardware (figure 1(12) and column 3, lines 12-16 and lines 20-24).

(7) regarding claims 14 and 40:

Sugiyama '723 discloses that the interface (input source) comprises an embedded video recorder (figure 1(11) - video signal input from video recorder directly connected to interface), wherein the external source of media (figure 1 ("Video Signal")) is a series of images captured by the embedded video recorder, converted into an electronic format (column 3, lines 12-17), and then provided to the media processing system (column 3, lines 16-20).

(8) regarding claim 29:

Sugiyama '723 discloses that the external media processing system includes a user interface that provides information to a user about at least one of the printed representation and the electronic representation of the time-based media (column 3, lines 45-48), the user interface further accepting input from a user to cause the media



processing system to modify at least one of the printed representation and the electronic representation of the time-based media (column 3, lines 57-61).

(9) regarding claim 30:

Sugiyama '723 discloses the media processing system determines at least one of the printed representation and the electronic representation (column 4, lines 24-42).

Sugiyama does not disclose expressly that the determination is with assistance from an external media processing system that is an external computing device.

Ishikawa discloses determining at least one of a printed representation and an electronic representation with assistance from an external media processing system that is an external computing system (column 6, lines 33-44 of Ishikawa-printed representation determined by several computing systems external to each other).

Sugiyama and Ishikawa are analogous art because they are from the same field of endeavor, namely the control and processing of multi-media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to determine the printed representation with assistance from at least one external computing system, as taught by Ishikawa. The motivation for doing so would have been that distributed processing increases the overall speed with which media data can be processed (column 3, lines 40-48 of Ishikawa). Therefore, it would have been obvious to combine Ishikawa with Sugiyama to obtain the invention as specified in claim 30.

(10) regarding claim 31:

Sugiyama '723 discloses that the printer further comprises the following supported by its housing: an input source for receiving time-based media (figure

I("VIDEO SIGNAL") and column 3, lines 11-17); a first output source coupled to the input source (figure 1 (30-33) - coupled to input source via System Controller (15)), the first output source producing a printed representation of the time-based media (column 4, lines 35-42); a second output source coupled to the input source (figure 1 (18-19) - coupled to input source via System Controller (15) and Selector (17)), the second output source producing an electronic representation of the time-based media (column 4, lines 24-35 - produces electronic signals used to drive display), the electronic representation of the time-based media corresponding to the printed representation of the time-based media (column 4, lines 30-35).

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Chang (6,167,033).

Ishikawa discloses that the external media processing system is an external device coupled to the printer network (figure 1 and column 6, lines 6-19 of Ishikawa).

Sugiyama in view of Ishikawa does not disclose expressly that the external media processing system is an external device coupled to the printer network by the Internet. Chang discloses coupling external devices to a network by the Internet (column 1, lines 39:50).

Sugiyama in view of Ishikawa is analogous art with respect to Chang since they are from similar problem solving areas, namely how to efficiently transmit digital image/video data between a plurality of different computational devices. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to

specifically use the Internet to connect the external media processing system to the printer network. The suggestion for doing so would have been that the Internet is a common means of connecting various computational devices together when they are not physically close to each other. Therefore, it would have been obvious to combine Chang with Sugiyama in view of Ishikawa to obtain the invention as specified in claim 5.

9. Claims 7-8, 15, 23, 33-34, 41 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Hymel (US 2003/0220988).

(1) regarding claims 7 and 33:

Sugiyama in view of Ishikawa does not disclose expressly that the interface (input source) comprises a removable media storage reader.

Hymel discloses providing video signal data at an interface using a removable storage reader (paragraph 10, lines 14-15 and lines 20-21 of Hymel - DVD is a removable data storage storing video signals and outputting the video signals through an interface).

Sugiyama in view of Ishikawa is analogous art with respect to Hymel because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a DVD drive at the interface (input source). The suggestion for doing so would have been that DVDs are a common form of video data media. Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 7 and 33.

(2) regarding claims 8 and 34:

Sugiyama in view of Ishikawa does not disclose expressly that the interface (input source) comprises a media input device selected from a group consisting of: a DVD reader, a video cassette tape reader, a CD reader, an audio cassette tape reader, and a flash card reader.

Hymel discloses an interface comprising a media input device (paragraph 10, lines 1-5) selected from a group consisting of: a DVD reader (paragraph 10, lines 14-15 and lines 20-21), a video cassette tape reader (paragraph 10, lines 14-15 and line 20 - digital camcorder, which, as is well-known in the art, uses a digital video (19II} cassette tape), a CD reader (paragraph 10, lines 14-15 and lines 19-20 of Hymel), an audio cassette tape reader (paragraph 10, lines 14-15 and line 19 - audio cassette tape reader is a type of audio player, MP3 player is merely an example), and a flash card reader (paragraph 10, lines 14-15 and lines 19-20 of Hymel - MP3 players and digital cameras generally use flash card memory).

Sugiyama in view of Ishikawa is analogous art with respect to-Hymel because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have the media input device at the interface be a DVD reader, a video cassette tape reader, a CD reader, an audio cassette tape reader, and/or a flash card reader, as taught by Hymel. The motivation for doing so would have been to allow a user to connect a variety of different types of peripheral devices to an overall system, thus allowing the user to perform a variety of functions (paragraph 2, lines 1-6 of

Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 8 and 34.

(3) regarding claims 15 and 41:

Sugiyama in view of Ishikawa does not disclose expressly that the interface (input source) comprises an embedded audio recorder, wherein the external source of media is a series of sounds that are converted into an electrical format by the embedded audio recorder and then provided to the media processing system.

Hymel discloses an embedded (paragraph 10, lines 22-26 of Hymel) audio recorder (paragraph 10, lines 14- 15 and line 19 of Hymel). As is abundantly well-known in the art, an embedded audio recorder input into a computerized media processing system inputs, as an external source of media, a series of sounds that are converted into an electrical format by the embedded audio recorder and then provided to the media processing system.

Sugiyama in view of Ishikawa is analogous art with respect to Hymel because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an embedded audio recorder as part of the interface. The motivation for doing so would have been to allow a user to connect another one of a variety of different types of peripheral devices, thus allowing the user to perform one more of a variety of functions (paragraph 2, lines 1-6 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 15 and 41.

(4) regarding claims 23 and 49:

Sugiyama in view of Ishikawa does not disclose expressly that the electronic output system (second output source) comprises an embedded web page display.

Hymel discloses an embedded web page display (figure 1(130) and paragraph 1 I, lines 1-10).

Sugiyama in view of Ishikawa is analogous art with respect to Hymel because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include an embedded web page display as part of the electronic output system (second output source). The motivation for doing so would have been to allow a user to display a web page, which is simply one of a plurality of different types of desirable output (paragraph 2, lines 1-6 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 23 and 49.

10. Claims 9-10, 25-26 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Stevens (US 2002/0010641).

(1) regarding claims 9 and 35:

Sugiyama in view of Ishikawa does not disclose expressly that the external source (input source) is a media broadcaster, and wherein the interface comprises a media broadcast receiver that can be tuned to a media broadcast.

Stevens discloses an external source (input source) that is a media broadcaster, wherein the interface comprises a media broadcast receiver that can be tuned to a media broadcast (figure 3(110) and paragraph 36, lines 1-8 of Stevens).

Sugiyama in view of Ishikawa is analogous art with respect to Stevens because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to configure the interface taught by Sugiyama to receive a media broadcast from a media broadcast receiver (radio), as taught by Stevens. The motivation for doing so would have been to allow users to retrieve desired distributions of audio and video data over a controlled broadcast (paragraph 4, lines 1-5 of Stevens). Therefore, it would have been obvious to combine Stevens with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 9 and 35.

(2) regarding claims 25 and 26:

Sugiyama in view of Ishikawa does not disclose expressly that said multimedia processing system comprises an embedded audio encryption module and an embedded video encryption module.

Stevens discloses an embedded audio encryption module (paragraph 54, lines 1-4 and paragraph 57, lines 3-4 of Stevens) and an embedded video encryption module (paragraph 54, lines 1-4 of Stevens).

Sugiyama in view of Ishikawa is analogous art with respect to Stevens because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person

of ordinary skill in the art to include the embedded audio encryption module and the embedded video encryption module taught by Stevens as part of said multimedia processing system. The motivation for doing so would have been to allow users to retrieve desired distributions of audio and video data over a controlled broadcast (paragraph 4, lines 1-5 of Stevens). Therefore, it would have been obvious to combine Stevens with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 25 and 26.

(3) regarding claims 10 and 36:

Sugiyama in view of Ishikawa does not disclose expressly that the interface (input source) comprises an embedded receiver selected from a group consisting of: an embedded TV receiver, an embedded radio receiver, an embedded short-wave radio receiver, an embedded satellite radio receiver, an embedded two-way radio, and an embedded cellular phone.

Stevens discloses an embedded TV receiver (figure 3(110) and paragraph 36, lines i-8 of Stevens), an embedded radio receiver (paragraph 36, lines 1-8 of Stevens), and an embedded satellite radio receiver (paragraph 36, lines 1-8 of Stevens) available for selection by a user (paragraph 36, lines 6-10 of Stevens).

Sugiyama in view of Ishikawa is analogous art with respect to Stevens because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have an embedded TV receiver, an embedded radio receiver, and an embedded satellite radio receiver available for selection at the interface



(input source), as taught by Stevens. The motivation for doing so would have been to allow users to retrieve desired distributions of audio and video data over a controlled broadcast (paragraph 4, lines 1- 5 of Stevens). Therefore, it would have been obvious to combine Stevens with Sugiyama in view of Ishikawa.

11. Claims 11 and 37 rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Federspiel (US 5,170,935).

(1) regarding claims 11 and 37:

Sugiyama in view of Ishikawa does not disclose expressly that the interface (input source) comprises an embedded receiver selected from a group consisting of an embedded heat sensor, an embedded humidity sensor, an embedded National Weather Service radio alert receiver, and an embedded TV Emergency Broadcast System (EBS) alert monitor.

Federspiel discloses selecting between an embedded heat sensor (column 12, lines 10-18 of Federspiel) and an embedded humidity sensor (column 12, lines 21-24 of Federspiel).

Sugiyama in view of Ishikawa is analogous art with respect to Federspiel because they are from similar problem solving areas, namely the control and processing of digital time-based data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to select from among an embedded heat sensor and an embedded humidity sensor, as taught by Federspiel. The motivation for doing so would have been to be able to control the environmental conditions in which a user is

present (column 2, lines 5-9 of Federspiel). Therefore, it would have been obvious to combine Federspiel with Sugiyama in view of Ishikawa.

12. Claims 13, 27-28 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Chino (US 6,118,888).

(1) regarding claims 13 and 39:

Sugiyama in view of Ishikawa does not disclose expressly that the interface (input source) comprises an ultrasonic pen capture device.

Chino discloses an ultrasonic pen capture device (figure 3(102i) and column 7, lines 14-16).

Sugiyama in view of Ishikawa is analogous art with respect to Chino because they are from the same field of endeavor, namely the control and processing of digital data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to capture input data using an ultrasonic pen capture device, as taught by Chino. The suggestion for doing so would have been that an electronic pen is simply another useful output device that provides digital data a user may wish to obtain (figure 3 and column 6, lines 66-67 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 13 and 39.

(2) regarding claim 27:

Sugiyama in view of Ishikawa does not disclose expressly that the multimedia processing system comprises an embedded audio sound localization module.

Chino discloses an embedded audio sound localization module (column 13, lines 5-14 of Chino). By using the gaze object detection portion of the multi-modal interface apparatus, the audio sound localization is determined.

Sugiyama in view of Ishikawa is analogous art with respect to Chino because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the embedded audio sound localization module taught by Chino as part of the overall multimedia processing system. The motivation for doing so would have been to ensure that user input is intended, and the user is not speaking to someone else (column 1, lines 52-58 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Ishikawa to obtain the invention as specified in claim 27.

(3) regarding claim 28:

Sugiyama in view of Ishikawa does not disclose expressly that said multimedia processing system comprises an embedded video motion detection module.

Chino discloses an embedded video motion detection module (figure 3(1020 and column 7, lines 33-38 of Chino).

Sugiyama in view of Ishikawa is combinable with Chino because they are from the same field of endeavor, namely the control and processing of time-based media data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the embedded video motion detection module taught by Chino as part of the overall multimedia processing system. The suggestion for doing so would

have been that detection of a user's motion and gestures is simply another useful electronic means to input data into a computerized system (figure 3 and column 7, lines 2-11 of Chino). Therefore, it would have been obvious to combine Chino with Sugiyama in view of Ishikawa to obtain the invention as specified in claim 28.

13. Claims 16, 21-22, 24, 42 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Korman (US 6,308,887).

(1) regarding claims 16 and 42:

Sugiyama in view of Ishikawa does not disclose expressly that the electronic output system (second output source) is configured to write said electronic representation to a removable media storage device.

Korman discloses outputting digital multimedia data to a removable media storage device (column 7, lines 31-35 and column 10, lines 28-31 of Korman).

Sugiyama in view of Ishikawa is analogous art with respect to Korman because they are from the same field of endeavor, namely the control and processing of multimedia data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to write said electronic representation to the removable media storage device taught by Korman. The motivation for doing so would have been to provide a convenient, transportable computer medium for the digital data comprising said electronic representation (column 7, lines 33-35 of Korman). Therefore, it would have been obvious to combine Korman with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 16 and 42.

(2) regarding claims 21 and 47:

Sugiyama in view of Ishikawa does not disclose expressly that the electronic output system (second output source) is coupled to a speaker system and sends an audio signal to the speaker system.

Korman discloses outputting audio data using a speaker system as a peripheral device (figure 2 (310) and column 7, lines 47-54 of Korman). In order for said speaker system to operate as an output, sending an audio signal to said speaker system is inherent.

Sugiyama in view of Ishikawa is analogous art with respect to Korman because they are from the same field of endeavor, namely the control and processing of multimedia data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to output audio data to a connected speaker system, as taught by Korman. The motivation for doing so would have been to provide the appropriate output format if audio output is desired. Therefore, it would have been obvious to combine Korman with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 21 and 47.

(3) regarding claims 22 and 48:

Korman discloses that the electronic output system comprises an embedded sound player for generating the audio signal (column 5, lines 30-34 of Korman).

Regarding claim 24: Sugiyama in view of Ishikawa does not disclose expressly that the media processing system comprises an embedded multimedia server.

Korman discloses an embedded multimedia server (figure 2(10) and column 3, lines 48-56 of Korman).

Sugiyama in view of Ishikawa is analogous art with respect to Korman because they are from the same field of endeavor, namely the control and processing of multimedia data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a multi-media server in the overall media processing system, as taught by Korman. The motivation for doing so would have been to provide control and communication relay for the multi-media processing devices comprising the media processing system (column 3, lines 49-52 of Korman). Therefore, it would have been obvious to combine Korman with Sugiyama in view of Ishikawa to obtain the invention as specified in claim 24.

14. Claims 17 and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723), Ishikawa (US 5,987,226) and Korman (US 6,308,887) as applied to claims above, and further in view of Hymel (US 2003/0220988).

(1) regarding claims 17 and 43: Sugiyama in view of Ishikawa and Korman does not disclose expressly that the removable storage device is selected from a group consisting of a DVD, a video cassette tape, a CD, an audio cassette tape, a flash card, a computer disk, an SD disk, and a computer-readable medium.

Hymel discloses a removable storage device selected from among a DVD (paragraph 10, lines 14-15 and lines 20-21 of Hymel), a video cassette tape (digital camcorder, which, as is well-known in the art, uses a digital video (DV) cassette tape) (paragraph 10, lines 14-15 and line 20), a CD (paragraph 10, lines 14-15 and lines 19-

20 of Hymel), and an audio cassette tape (audio cassette tape reader is a type of audio player, MP3 player is merely an example) (paragraph 10, lines 14-15 and line 19), a computer disk (paragraph 19, lines 8-9 of Hymel), and a computer-readable medium (paragraph 19, lines 8-9 of Hymel).

Sugiyama in view of Ishikawa and Korman is analogous art with respect to Hymel because they are from similar problem solving areas, namely the control of data storage and output. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to have available for selection a DVD, a video cassette tape, a CD, an audio cassette tape, a computer disk, and a computer-readable medium. The motivation for doing so would have been to allow a user to connect a variety of different types of peripheral devices to an overall system, thus allowing the user to perform a variety of functions (paragraph 2, lines 1-6 of Hymel). Therefore, it would have been obvious to combine Hymel with Sugiyama in view of Ishikawa and Korman.

15. Claims 18 and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Kimura (US 5,270,989).

(1) regarding claims 18 and 44:

Sugiyama in view of Ishikawa does not disclose expressly that the electronic output system (second output source) comprises a handling mechanism to accommodate a plurality of removable storage devices.

Kimura discloses a handling mechanism (figure 1(6) of Kimura) that accommodates a plurality of removable storage devices (column 4, lines 46-52 of Kimura).

Sugiyama in view of Ishikawa is analogous art with respect to Kimura because they are from similar problem solving areas, namely processing and storing digital output data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a handling mechanism to handle a plurality of removable storage devices, as taught by Kimura. The motivation for doing so would have been to be able to store and select from among a plurality of different available removable storage devices (column 2, lines 38-42 of Kimura). Therefore, it would have been obvious to combine Kimura with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 18 and 44.

16. Claims 19 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723), Ishikawa (US 5,987,226) and Kimura (US 5,270,989) as applied to claims above, and further in view of Takemasa (US 5,136,563).

(1) regarding claims 19 and 45:

The arguments regarding claims 18 and 44 are incorporated herein. Kimura further discloses selecting between handling devices (such as Laser Disc or CD) (column 5, lines 23-30 of Kimura). Both handling devices are of the tray type (column 5, lines 20-27 of Kimura).



Sugiyama in view of Ishikawa and Kimura does not disclose expressly that the group of handling mechanism from which the handling mechanism is selected consists not only of a tray, but also of a feeder and a bandolier.

Takemasa discloses a feeder type handling mechanism (figure 2b; figure 18; and column 5, lines 52-67 of Takemasa).

Sugiyama in view of Ishikawa and Kimura is analogous art with respect to Takemasa because they are from similar problem solving areas, namely processing and storing digital output data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include the feeder type handling mechanism taught by Takemasa as another type of handling mechanism from which to choose. The motivation for doing so would have been to provide for compact and reliable insertion and switching of the removable storage devices (column 2, lines 14-16 of Takemasa). Therefore, it would have been obvious to combine Takemasa with Sugiyama in view of Ishikawa and Kimura.

17. Claims 20 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama (US 5,633,723) and Ishikawa (US 5,987,226) as applied to claims above, and further in view of Steinberg (US 6,000,030).

(1) regarding claims 20 and 46:

Sugiyama in view of Ishikawa does not disclose expressly that said electronic output system (second output source) comprises a media writer selected from a group consisting of a disposable media writer and a self-destructing media writer.

Steinberg discloses a disposable media writer (column 4, lines 16-20 of Steinberg) and a self- destructing media writer (column 5, lines 28-36 of Steinberg).

Sugiyama in view of Ishikawa is analogous art with respect to Steinberg because they are from similar problem solving areas, namely the control and storage of digital data. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide for digital data output a group of media writers consisting of a disposable media writer and a self-destructing media writer, as taught by Steinberg. The motivation for doing so would have been prevent unauthorized access to computer files (column 1, lines 43-50 of Steinberg). Therefore, it would have been obvious to combine Steinberg with Sugiyama in view of Ishikawa to obtain the invention as specified in claims 20 and 46.

### ***Double Patenting***

18. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to

be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

19. Claims 1-49 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-49 of copending Application No. 10/813,847 in view of Ishikawa (US 5,987,226).

Claim 1 in copending application 10/813,847 is, in essence, the same as the claim 1 in this application, except for the limitation "a printer including housing for supporting an interface for receiving time-based media from an external source and being communicatively coupled to send time-based media to the media processing system".

However, Ishikawa '226 teaches a housing that supports an interface for receiving time-based media from an external source (column 6, lines 45-49, where it is receiving data from external clients through a network).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made a housing that supports an interface for receiving time-based media from an external source as taught by Ishikawa '226 in the system of Sugiyama '723. With this distributed processing increases the overall speed with which media data can be processed (column 3, lines 40-48 of Ishikawa), and proper load balancing (via the resource allocation module) maximizes the efficiency of the distributed processing.

Claim 2 is not present in copending application 10/813,847. However, Ishikawa '226 teaches wherein the external media processing device is a personal computer (column 6, lines 45-49, where the clients are interpreted as personal computers).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made that the external media processing device is a personal computer as taught by Ishikawa '226 in the system of Sugiyama '723. With this distributed processing increases the overall speed with which media data can be processed (column 3, lines 40-48 of Ishikawa), and proper load balancing (via the resource allocation module) maximizes the efficiency of the distributed processing.

This is a provisional obviousness-type double patenting rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lennin R. Rodriguez whose telephone number is (571) 270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

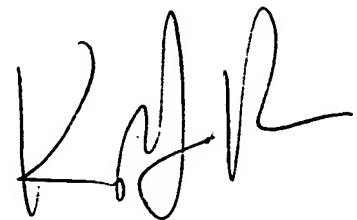
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Lennin Rodriguez  
2/3/08

A handwritten signature in black ink, appearing to read 'KYP', is positioned above the printed name and title.

KING Y. POON  
SUPERVISORY PATENT EXAMINER